



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Marty J. (Raisanen) Dama - Travel to Temporary
Duty by Indirect Routing

File: B-235070

Date: October 6, 1989

DIGEST

1. Where an employee combines personal travel with official travel, transportation reimbursement is limited to the constructive cost of direct travel by the mode of transportation authorized, or the actual cost of transportation, whichever is less.
2. An employee used a rental car for part of indirect travel to temporary duty location. Even though rental car was not authorized for official travel, the cost of the rental car may be included as part of the employee's actual transportation costs for comparison to the constructive cost of direct travel. Only that portion of the rental car fee which reasonably relates to transportation for official business may be reimbursed.

DECISION

This decision is in response to a request from the Chief, Accounting Section, Internal Revenue Service - Southwest Region, Department of the Treasury, concerning the travel entitlement of an employee who performed official travel by an indirect route. We conclude that the employee's reimbursement is limited to the actual cost of travel by the indirect route not to exceed the cost of direct round-trip travel on a constructive basis.

BACKGROUND

Ms. Marty J. (Raisanen) Dama, who was stationed in Dallas, Texas, was authorized to perform official travel to Sacramento, California, during the period April 16-26, 1985. The agency purchased an airline ticket for round-trip travel between Dallas and Sacramento through use of a Government Transportation Request (GTR) at a cost of \$487. However, the employee, having decided to combine personal travel with official travel, redeemed the GTR-procured ticket and had it

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reissued to permit her to travel from Dallas to Los Angeles several days prior to commencement of her official duties in Sacramento and then from San Francisco to Dallas afterwards. The total cost for that air transportation was \$188 and the excess cost of the GTR (\$299) was refunded to the agency. While performing this indirect travel, Ms. Dama used a rental car to travel from Los Angeles to Sacramento via San Francisco, and then from Sacramento to San Francisco at the conclusion of official business. Appropriate leave was taken for excess traveltime.

Ms. Dama recognized that her maximum entitlement is limited to those expenses she would have incurred had she not engaged in indirect travel. She submitted a travel voucher to show for comparison purposes that her cost of direct travel to Sacramento would have totaled \$495.20 and that her actual expenses by indirect routing were \$722.70. The latter included her airfare, the full cost of a rental vehicle for the period (\$437.73), and mileage from Los Angeles to Sacramento (\$96.97). Based on that comparison, she claimed \$307.20 (\$495.20 minus \$188 already paid for her airfare) for her transportation expenses.

The agency disagreed with Ms. Dama's analysis and computed her actual costs as being \$287.97, based on \$188 for airfare and \$96.97 for mileage between Los Angeles, Sacramento and San Francisco, but not including the actual rental car fee since use of such a special conveyance was not authorized. Since the actual expenses were less than the expenses of constructive direct travel, the agency limited her reimbursement to the airfare of \$188 plus \$96.97 for mileage. Ms. Dama has appealed that reimbursement.

OPINION

The regulatory provisions governing travel and transportation of employees performing temporary duty travel are contained in chapter 1 of the Federal Travel Regulations (FTR).^{1/} Paragraph 1-1.3b of the FTR provides that reimbursement for expenses of official travel is limited to those expenses incurred which are essential to the transaction of official business. With regard to indirect travel, para. 1-2.5 of the FTR provides, in part:

"1-2.5 Routing of Travel

"a. Official Necessity. All travel shall be by a usually traveled route. . . .

^{1/} Incorp. by ref., 41 C.F.R. § 101-7.003 (1985).

"b. Indirect-route or interrupted travel. When a person for his/her own convenience travels by an indirect route . . . the extra expense shall be borne by him/her. Reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route. When transportation requests are used, they shall be issued only for that portion of the expenses properly chargeable to the Government, and the employee shall pay the additional personal expenses, including the Federal transportation tax. . . ."

The above provisions clearly limit allowable travel and transportation expenses to an amount not to exceed what it would have cost the government if the employee traveled the usually traveled route by the mode of travel authorized. Our decisions have held that when an employee on official business travels by an indirect route, reimbursement is limited to the constructive cost of direct routing or the actual cost of that travel, whichever is less. John P. Butt, 65 Comp. Gen. 47 (1985); Irwin M. Lieberman, B-221760, Aug. 11, 1986.

In the present situation, the cost of direct travel between Dallas and Sacramento was \$487, plus ground transportation in Sacramento, \$8.20. Thus, the maximum cost of direct travel, not including Ms. Dama's transportation between her residence and the Dallas/Ft. Worth airport, was \$495.20. The dispute between the agency and Ms. Dama centers on the computation of the cost of her actual travel, particularly the cost of her rental vehicle.

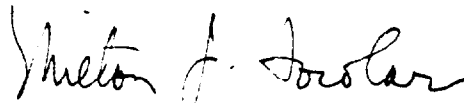
We have held that the provisions of the FTR requiring approval of the use of rental vehicles are not applicable when reimbursement is to be on a constructive cost basis. As in all constructive cost cases, the actual cost to the employee, regardless of mode, is compared to the cost of an allowable mode. Thus, in Ronald D. Beeman, 60 Comp. Gen. 38 (1980) we allowed rental car expenses limited to the constructive cost of travel by common carrier, even though use of a rental car was not authorized.

However, an employee's actual costs of travel by an indirect route or delays in that travel do not necessarily include every associated cost. In Vincent L. DiMare, B-212087, Feb. 7, 1984, citing to Matter of Perkins, B-192364, Feb. 15, 1979, we limited an employee's reimbursement to the 4 days of car rental that would have been incurred had he

not taken leave or traveled by a circuitous route, instead of the 7 full days he actually used the rental vehicle.

In the present case, the only use for which the rental car related to official business was to transport Ms. Dama from Los Angeles to Sacramento and from Sacramento to San Francisco for her return travel. All other usage of the rental car must be considered personal. Therefore, Ms. Dama's actual cost of transportation by rental car for cost comparison purposes would be the basic rental fee for the days necessary to make those trips and her fuel and related costs for those trips. Since a weekly rate would not have been available had the car been used only for that travel, her actual rental costs should be calculated using a daily rental fee. DiMare, supra. Finally, we know of no basis to reimburse Ms. Dama for mileage at 20-1/2 cents per mile. Mileage is payable only in connection with use of a privately owned vehicle on official business. See FTR, chapter 1, part 4.

Accordingly, Ms. Dama's reimbursement should be her airfare and rental car charges as discussed above, not to exceed the constructive cost of direct travel - \$495.20, less airfare costs already paid by the agency.

for 
Comptroller General
of the United States